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* *Pro Hac Vice* Application Pending

Attorneys for Defendant
Church & Dwight Co., Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MELISSA FOGARTY, On Behalf of Herself and
All Others Similarly Situated,

Plaintiff,

-against-

CHURCH & DWIGHT, INC.; THE PROCTOR &
GAMBLE COMPANY, INC.; REVLON, INC.;
THE DIAL CORPORATION; and HENKEL
CORPORATION,

Defendants.

Civ. Action No. 3:14-CV-07086 (FLW)
(DEA)

Motion Date: March 16, 2015

Document Electronically Filed

Oral Argument Requested

**DEFENDANT CHURCH & DWIGHT'S NOTICE OF MOTION
TO DISMISS THE COMPLAINT PURSUANT TO
FEDERAL RULES OF CIVIL PROCEDURE 12(b)(1) and 12(b)(6)**

PLEASE TAKE NOTICE that, on March 16, 2015 at 9:00 a.m., or at such other date and time as the Court shall designate, the undersigned, attorneys for Defendant Church & Dwight Co., Inc. (“Church & Dwight”) (incorrectly sued as “Church & Dwight, Inc.”), will, and hereby do, respectfully move the Honorable Freda L. Wolfson, U.S.D.J., presiding at the United States District Court for the District of New Jersey, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey, 08608, for an Order, pursuant to Rule 12(b)(6) and Rule 12(b)(1) of the Federal Rules of Civil Procedure, dismissing Plaintiff’s Complaint in its entirety with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendant Church & Dwight will rely upon the memorandum of law filed in connection with its motion, the Declaration of Wanda L. Ellert, all other pleadings on file in this action and any oral argument permitted by the Court.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested in the event there is opposition to this Motion.

Dated: February 20, 2015

Respectfully submitted,

/s/ Wanda L. Ellert
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